

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

PAUL SCOTT NELSON,

Plaintiff,

v.

DANIELS, et al.,

Defendants.

Case No.: 2:23-cv-00476-JAD-NJK

ORDER

(Docket No. 1)

On March 30, 2023, *pro se* plaintiff Paul Scott Nelson, who was formerly incarcerated in the custody of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983 and filed an application to proceed *in forma pauperis* for inmates. Docket Nos. 1, 1-1. Because Plaintiff is no longer incarcerated, the Court denies his application to proceed *in forma pauperis* for inmates as moot and directs Plaintiff to file an application to proceed *in forma pauperis* for non-prisoners, or pay the \$402 filing fee, on or before May 21, 2023. If Plaintiff fails to either file an application to proceed *in forma pauperis* for non-prisoners or pay the full \$402 filing fee on or before May 21, 2023, this case will be subject to dismissal without prejudice.

Accordingly, for the reasons stated above,

IT IS ORDERED that the application to proceed *in forma pauperis*, Docket No. 1, is **DENIED** as moot.

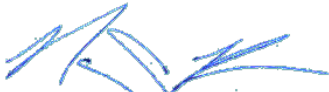
IT IS FURTHER ORDERED that, on or before May 21, 2023, Plaintiff will either: (1) file a fully complete application to proceed *in forma pauperis* for non-prisoners; or (2) pay the full filing fee of \$402.

IT IS FURTHER ORDERED that, if Plaintiff fails to timely comply with this order, this action will be subject to dismissal without prejudice. A dismissal without prejudice allows Plaintiff to refile the case with the Court, under a new case number, when Plaintiff can file a complete application to proceed *in forma pauperis* or pay the required filing fee.

1 The Clerk of the Court is **INSTRUCTED** to send Plaintiff Paul Scott Nelson the approved
2 form application to proceed *in forma pauperis* by a non-prisoner, as well as the document entitled
3 information and instructions for filing an *in forma pauperis* application, and retain the complaint,
4 Docket No. 1-1, but not file it at this time.

5 IT IS SO ORDERED.

6 DATED: April 21, 2023.

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10 NANCY J. KOPPE
11 UNITED STATES MAGISTRATE JUDGE
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